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MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 26, 2008

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 26, 2008, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Corey Rushton
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Joel Coleman (Excused)

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Kevin Astill, Parks and Recreation Director
Layne Morris, Community Preservation Director
John Evans, Fire Chief
Russell Willardson, Public Works Director
Jim Welch, Finance Director
Joseph Moore, CED Director
Craig Black, Acting Police Chief
Owen Jackson, Administration
Jake Arslanian, Public Works Department
Brent Garlick, CED Department
Nevin Limburg, CED Department

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OPENING CEREMONY

The Opening Ceremony was conducted by Corey Rushton who discussed “fun facts” about recycling.

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13947 **SCOUTS**

Mayor Nordfelt welcomed Scout Troop Nos. 144 and 13734 in attendance to complete requirements for the Communications and Citizenship in the Community merit badges.

13948 **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 12, 2008**

The Council read and considered the Minutes of the Regular Meeting held February 12, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Regular Meeting held February 12, 2008, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

13949 **EMPLOYEES OF THE MONTH, FEBRUARY 2008 - AMANDA CLARK AND JENNIFER WILLIAMS, POLICE DEPARTMENT**

Councilmember Winder read the nomination of Amanda Clark and Jennifer Williams, Police Department, recognized as the Employees of the Month for February, 2008. The City Council congratulated the recipients and expressed appreciation for their contribution of hard work on behalf of the City.

Amanda Clark and Jennifer Williams, Police Department, introduced members of their families who were in attendance at the meeting.

13950 **UTAH FORESTRY COUNCIL AWARD PRESENTATION – DARIN NERDIN, PARKS AND RECREATION DEPARTMENT, ARBORIST OF THE YEAR AWARD**

Mayor Nordfelt introduced Meridith Perkins, Urban and Community Forestry Coordinator, Utah State Department of Forestry, Fire and State Lands. Ms.

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Perkins presented the Arborist of the Year Award to Darin Nerdin, Parks and Recreation Department.

The City Council congratulated Mr. Nerdin regarding receiving the Arborist of the Year Award and expressed appreciation to him for his work on behalf of West Valley City.

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COMMENT PERIOD

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Art Frauchia, 6083 West Dunford, addressed the City Council. Mr. Frauchia stated he was a veteran, businessman and resident of the City. He reviewed the City's budget and strategic plan goals and discussed some of those matters as they related to the Police Department. He stated the City was doing nothing to suppress gangs as there was a lot of graffiti even during the day. He indicated he had given the Police Department video, photographs, license numbers, etc. regarding street racing in his neighborhood, but nothing had been done. Mr. Frauchia stated he was supportive of the Police Department and there had been a decrease in funding for police special operations unit dealing with gang problems. He stated there were not enough officers and they had not been given a raise in over three years. He expressed need to support employees in uniform and to use funding for them to get back to basics by doing away with some other things such as the golf courses, Hale Centre Theatre and the E-Center. He stated the streets did not get plowed or salted in his neighborhood. He stated there was need to get back to the basics on how the City was run and if he ran his business the same as the City then he would be out of business within a year. He indicated his property had received graffiti earlier this day. He expressed the need for more officers assigned to neighborhoods during the day as well as the need to reprioritize where to spend money to get back to those basics.

Mayor Nordfelt requested Mr. Frauchia telephone him and schedule an appointment to meet and discuss these very important issues.

Donna Bodermer, 3252 South 3600 West, addressed the City Council. Ms. Bodermer praised the recycling program and inquired why glass was not one of the items allowed to be placed in the recycling can. City Manager, Wayne Pyle, discussed the reasons why glass was not collected at the present time.

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13952 **PUBLIC HEARING, APPLICATION NO. M-3-2008, FILED BY WEST VALLEY CITY, PARK IMPACT FEE STUDY UPDATE AND AMENDMENT**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 26, 2008, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. M-3-2008, filed by West Valley City, requesting consideration of a park impact fee study update and amendment. He presented proposed Resolution No. 08-78 and proposed Ordinance No. 08-12 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Mr. Pyle presented proposed Resolution No. 08-78 which would adopt an Update and Amendment to the West Valley City Park Impact Fee Study. He stated that on June 19, 1997, the Council adopted an Impact Fee Capital Facilities Plan which revised park impact fees to comply with the then new State impact fee legislation. He further stated the Impact Fee Capital Facilities Plan had been performed by the consulting firm of James Duncan and Associates. In the plan, the consultants calculated the park impact fees by: 1) Determining the total value of all parks in West Valley City; 2) Dividing the total value of parks by the latest population estimate (which resulted in the park cost per person); 3) Subtracting revenue credits from the park cost per person to account for future, non-impact fee revenue sources such as Community Development Block Grant (CDBG) funds; and 4) Multiplying the net park cost per person by the average household size of each housing type (i.e., single-family, duplex, multi-family, and mobile home).

Mr. Pyle advised that in 2002 and 2005, the Impact Fee Capital Facilities Plan had been updated. Since 2005, many of the quantities used to calculate the park impact fees had changed, thus, the Impact Fee Capital Facilities Plan needed to be updated again. He advised items requiring updating in the plan included: the value of park land, park development costs, CDBG and other federal funding for parks and trails, population estimates and projections, and Fitness Center debt service. He stated also included in the update were planned park improvements until the year 2012.

The City Manager reported updating the quantities listed above resulted in an increase in the amount the City could charge for impact fees. He discussed a list of proposed increases summarized as follows:

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<u>Housing Type</u>	<u>Current Impact Fees</u>	<u>Proposed Impact Fees</u>	<u>Resulting Increase</u>
Single Family	\$ 1,381	\$ 2,032	\$ 651
Duplex	971	1,429	458
Multi-family	937	1,379	442
Mobile home	888	1,306	418

City Manager, Wayne Pyle, presented proposed Ordinance No. 08-12 which would amend Section 1-2-203 of the West Valley City Municipal Code to update park impact fees.

Mr. Pyle stated the parks section of the Impact Fee Capital Facilities Plan had recently been updated. He indicated the update resulted in an increase in the amount the City could charge for park impact fees. He stated staff proposed the City charge the dollar amounts derived from the updated plan.

The City Manager reported items updated in the plan included: the value of park land, park development costs, CDBG and other federal funding for parks and trails, population estimates and projections, and Fitness Center debt service. He advised that also included in the update were planned park improvements until the year 2012.

The City Manager discussed a list of the current park impact fees, the proposed park impact fees and the resulting increase, summarized as follows:

<u>Housing Type</u>	<u>Current Impact Fees</u>	<u>Proposed Impact Fees</u>	<u>Resulting Increase</u>
Single Family	\$ 1,381	\$ 2,032	\$ 651
Duplex	971	1,429	458
Multi-family	937	1,379	442
Mobile home	888	1,306	418

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

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ACTION: RESOLUTION NO. 08-78, ADOPTING AN UPDATE AND AMENDMENT TO THE WEST VALLEY CITY PARK IMPACT FEE STUDY

The Council previously held a public hearing regarding Application No. M-3-2008, filed by West Valley City, and proposed Resolution No. 08-78 which would adopt an update and amendment to the West Valley City Park Impact Fee Study.

After discussion, Councilmember Burt moved to approve Resolution No. 08-78, a Resolution Adopting an Update and Amendment to the West Valley City Park Impact Fee Study. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	No
Mayor Nordfelt	Yes

Majority.

ACTION: ORDINANCE NO. 08-12, AMENDING SECTION 1-2-203 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE PARK IMPACT FEES

The Council previously held a public hearing regarding Application No. M-3-2008, filed by West Valley City, and proposed Ordinance No. 08-12 which would amend Section 1-2-203 of the West Valley City Municipal Code to update park impact fees.

After discussion, Councilmember Brooks moved to approve Ordinance No. 08-12, an Ordinance Amending Section 1-2-203 of the West Valley City Municipal Code to Update Park Impact Fees. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	No

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Mayor Nordfelt

Yes

Majority.

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PUBLIC HEARING, APPLICATION NO. GPZ-5-2007, FILED BY RANDY AND MICHELLE TOUSLEY, REQUESTING TO AMEND THE GENERAL PLAN FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; AND TO AMEND THE ZONING MAP FROM ZONE ‘R-1-8’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQ. FT.) TO ‘RM’ (RESIDENTIAL, MULTI-FAMILY) ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled February 26, 2008 at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. GPZ-5-2007, filed by Randy and Michelle Tousley, requesting to amend the General Plan from Low Density Residential to High Density Residential; and to amend the Zoning Map from zone ‘R-1-8’ (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to ‘RM’ (Residential, Multi-Family) zone for property located at approximately 3244 South 3600 West. He presented proposed Ordinance Nos. 08-13 and 08-14 and proposed Resolution No. 08-79 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 08-13 which would amend the General Plan to show a change of land use from Low Density Residential to High Density Residential for property located at approximately 3244 South 3600 West.

Mr. Pyle stated the applicants had submitted application for four parcels totaling 1.14 acres. He also stated all four parcels were zoned ‘R-1-8’ (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and classified as Low Density Residential (three to four units per acre) in the General Plan. He indicated the applicants requested ‘RM’ zoning with a General Plan land use designation of High Density Residential (10 to 20 units per acre). He stated surrounding zones included ‘R-1-8’ to the north, south, and west, and ‘R-1-6’ to the east; the subject four parcels were surrounded by single-family homes.

The City Manager reported the three eastern most parcels included two four-plexes (built in 1962), and a five-plex (built in 1939). Photographs of these existing buildings had been included in the written information provided to members of the Council. Mr. Pyle stated this area of the City had not been zoned

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prior to 1965; hence, no zoning restrictions had been in place prohibiting construction of these apartment buildings. He advised the western-most parcel included some parking, but was mostly vacant.

Mr. Pyle advised an outline of the applicants' request had been provided to the City Council, including a conceptual plan showing the existing apartment buildings and the proposed new six unit townhome building. He stated, as the applicants indicated in the outline, the re-zone would allow construction of the new six unit townhome building which would help finance the improvements envisioned for the existing apartment buildings.

The City Manager reported approximately .7 acres of the overall 1.14 acres was currently developed. With 13 units existing, the current density (not including the undeveloped portion of the property) was about 18.6 units per acre. The density as proposed on the concept plan was 16.7 units per acre.

City Manager, Wayne Pyle, stated four letters in support of the proposal had been received from residents of the surrounding area and had been copied to the City Council.

City Manager, Wayne Pyle, presented proposed Ordinance No. 08-14 which would amend the Zoning Map to show a change of zone for property located at approximately 3244 South 360 West from zone 'R-1-8' (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to zone 'RM' (Residential, Multi-Family).

Mr. Pyle stated the applicants had submitted application for four parcels totaling 1.14 acres. He also stated all four parcels were zoned 'R-1-8' (Single-Family Residential, Minimum Lot Size 8,000 sq. ft.) and classified as Low Density Residential (three to four units per acre) in the General Plan. He indicated the applicants requested 'RM' zoning with a General Plan land use designation of High Density Residential (10 to 20 units per acre). He stated surrounding zones included 'R-1-8' to the north, south, and west, and 'R-1-6' to the east; the subject four parcels were surrounded by single-family homes.

The City Manager reported the three eastern most parcels included two four-plexes (built in 1962) and a five-plex (built in 1939). Photographs of these existing buildings had been included in the written information provided to members of the Council. Mr. Pyle stated this area of the City had not been zoned prior to 1965; hence, no zoning restrictions had been in place prohibiting construction of these apartment buildings. He advised the western most-parcel included some parking, but was mostly vacant.

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Mr. Pyle advised an outline of the applicants' request had been provided to the City Council, including a conceptual plan showing the existing apartment buildings and the proposed new six unit townhome building. He stated, as the applicants indicated in the outline, the re-zone would allow construction of the new six unit townhome building which would help finance the improvements envisioned for the existing apartment buildings.

The City Manager reported approximately .7 acres of the overall 1.14 acres was currently developed. With 13 units existing, the current density (not including the undeveloped portion of the property) was about 18.6 units per acre. The density as proposed on the concept plan was 16.7 units per acre.

City Manager, Wayne Pyle, stated four letters in support of the proposal had been received from residents of the surrounding area and had been copied to the City Council.

City Manager, Wayne Pyle, presented proposed Resolution No. 08-79 which would authorize the City to enter into a Development Agreement with Randy and Michelle Tousley for approximately 1.14 acres of real property being developed in the vicinity of 3244 South 3600 West.

Mr. Pyle stated the applicants had requested to change 1.14 acres of property from Low Density Residential to High Density Residential and from 'R-1-8' to 'RM' and staff recommended a development agreement be approved in conjunction with the re-zone to ensure the applicants' commitments would be met.

The City Manager reported the proposed agreement contained standards addressing improvements to the existing buildings, lighting, parking, landscaping, open space and the proposed new six unit townhome building.

Mayor Nordfelt opened the public hearing.

Randy Tousley, applicant, addressed the City Council. Mr. Tousley stated he and his wife had owned the subject properties for about five years. He also stated they knew when they purchased the properties they would need a lot of work and money to upgrade and tried to focus on it being a nice place for families to live. He further stated he understood there were a couple of letters of concern regarding the proposal and he addressed those issues, including parking. He related an incident regarding a little girl being hit by a car when she had come out between parked cars. He indicated his plan would improve parking and safety and one exit would be eliminated and turned into park space. He stated an increase in

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density was a trade off for landscaping improvements, walkway, and lighting and the only way to facilitate changes would be to build townhouse units in the back. Mr. Tousley expressed there was a lot of support from nearby residents in the area. He indicated he and his wife were members of the community and would move into one of the townhomes if the proposal was approved. He stated the zone change would allow proposed improvements and he requested approval of the application. Mr. Tousley answered questions from members of the City Council regarding fencing, green space and the playground.

Jack McIntyre, 3299 West 3540 South, addressed the City Council. Mr. McIntyre stated Mr. Tousley's request was noteworthy. He also stated he lived in the area and cared about the neighborhood. He indicated he did not see a "down side" to the City for the applicant to make the place "prettier" and improve the area. He indicated it already was high density and would be a challenge to make it look better, and it had to be economically feasible for the Tousley's in order to make it work. Mr. McIntyre stated the proposal was impressive.

Kenneth Bodermer, 3252 South 3600 West, addressed the City Council. Mr. Bodermer he was a neighbor to Mr. Tousley and related problems at the apartments under previous owners and tenants. He stated since the Tousleys had taken over there had been a lot of improvements and tenants obeyed rules or were vacated. Mr. Bodermer expressed desire to protect his property values, thought the proposal would be a positive thing for the neighborhood, and hoped it was financially rewarding for the applicants.

Gary Warr, 3318 South 3600 West, addressed the City Council. Mr. Warr stated since the Tousleys had taken over the property it had improved tremendously. He indicated he hoped the City Council would take that into consideration and approve the proposal so it would continue to improve the neighborhood. He further stated it was great to have the landlord live on the property as they had more control.

Ed Young, 3195 South 3600 West, addressed the City Council. Mr. Young stated he had lived in the area for many years and had not seen any positive changes at the subject property. He stated the City did not need any more rental units and transient families. He indicated there were traffic problems in the area and more units would add to that problem.

Scott Warr, 3154 South 3600 West, addressed the City Council. Mr. Warr expressed opposition to apartments in their residential neighborhood. He stated that over 50 years ago his father sold the property to someone and there had been apartments there ever since. He also stated Mr. Tousley could make

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improvements to upgrade all of the apartments and rent to families that would stay there for longer periods of time. He indicated the applicant also had purchased an additional 5,000 square feet for open space and a playground. He stated that showed they wanted families to live there which would create fewer problems. Mr. Warr stated he would rather see single-family, but the applicants had shown their intent with improvements to the current apartments.

Eric (last name inaudible), scout, addressed the City Council. He stated the project would be great for the whole community because they wanted families to live there.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

Upon discussion, members of the City Council commented regarding the proposal and expressed appreciation for those individuals who had testified during the public hearing.

ACTION: ORDINANCE NO. 08-13, AMENDING THE GENERAL PLAN TO SHOW CHANGE OF LAND USE FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST

The City Council previously held a public hearing regarding Application No. GPZ-5-2007, filed by Randy and Michelle Tousley, and proposed Ordinance No. 08-13 which would amend the General Plan to show change of land use from Low Density Residential to High Density Residential for property located at approximately 3244 South 3600 West.

After discussion, Councilmember Winder moved to approve Ordinance No. 08-13, an Ordinance Amending the General Plan to Show a Change of Land Use from Low Density Residential Land Uses to High Density Residential Land Uses for Property Located at Approximately 3244 South 3600 West. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

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Unanimous.

ACTION: ORDINANCE NO. 08-14, AMENDING THE ZONING MAP TO SHOW A CHANGE OF ZONE FOR PROPERTY LOCATED AT APPROXIMATELY 3244 SOUTH 3600 WEST FROM ZONE ‘R-1-8’ (RESIDENTIAL, SINGLE-FAMILY, MINIMUM LOT SIZE 8,000 SQ. FT.) TO ZONE ‘RM’ (RESIDENTIAL, MULTI-FAMILY)

The City Council previously held a public hearing regarding Application No. GPZ-5-2007, filed by Randy and Michelle Tousley, and subsequently approved Ordinance No. 08-13 which amended the General Plan to show a change of land use from Low Density Residential to High Density Residential for property located at approximately 3244 South 3600 West.

After discussion, Councilmember Vincent moved to approve Ordinance No. 08-14, an Ordinance Amending the Zoning Map to Show a Change of Zone for Property Located at Approximately 3244 South 3600 West from Zone ‘R-1-8’ (Residential, Single-Family, Minimum Lot Size 8,000 sq. ft.) to Zone ‘RM’ (Residential, Multi-Family). Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

ACTION: RESOLUTION NO. 08-79, AUTHORIZING THE CITY TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RANDY AND MICHELLE TOUSLEY FOR APPROXIMATELY 1.14 ACRES OF REAL PROPERTY BEING DEVELOPED IN THE VICINITY OF 3244 SOUTH 3600 WEST

The City Council considered proposed Resolution No. 08-79 which would authorize the City to enter into a Development Agreement with Randy and Michelle Tousley for approximately 1.14 acres of real property being developed in the vicinity of 3244 South 3600 West.

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After discussion, Councilmember Brooks moved to approve Resolution No. 08-79, a Resolution Authorizing the City to Enter into a Development Agreement with Randy and Michelle Tousley for Approximately 1.14 Acres of Real Property Being Developed in the Vicinity of 3244 South 3600 West. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

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RESOLUTION NO. 08-80, APPROVE AGREEMENT WITH MAJESTIC VILLAS, LLC, FOR ON-GOING MAINTENANCE OF A PORTION OF THE HUNTER VILLAGE AND SUGARPLUM TRAIL SYSTEM WHICH PASSES THROUGH MAJESTIC VILLAS PUD LOCATED AT APPROXIMATELY 3100 SOUTH 7200 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 08-80 which would approve an Agreement with Majestic Villas, LLC for on-going maintenance of a portion of the Hunter Village and Sugarplum Trail System which passes through Majestic Villas PUD, at approximately 3100 South 7200 West.

Mr. Pyle stated Majestic Villas was an 81 unit PUD being constructed at the above location and desired to complete the last parts of the trail system running through Hunter Village and Sugarplum Subdivisions. He stated an easement would be given to the City for the trail across the property and a commitment to perform on-going landscape maintenance. He stated the developers/PUD would take on the maintenance duties and associated costs.

The City Manager indicated the subject agreement set out maintenance standards and allowed for remediation if the standards were not followed.

After discussion, Councilmember Burt moved to approve Resolution No. 08-80, a Resolution Authorizing the Execution of an Agreement between West Valley City and Majestic Villas, LLC, for On-going Maintenance of a Portion of the Hunter Village and Sugarplum Trail System Which Passes Through Majestic Villas PUD,

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Located at Approximately 3100 South 7200 West. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

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RESOLUTION NO. 08-84, AUTHORIZE THE CITY TO ENTER INTO AN AGREEMENT WITH THE WEST VALLEY CITY REDEVELOPMENT AGENCY AND ARGENT 201, LLC, TO FACILITATE DEVELOPMENT IN THE NORTH CENTRAL ECONOMIC DEVELOPMENT PROJECT AREA

City Manager, Wayne Pyle, presented proposed Resolution No. 08-84 which would authorize the City to enter into an agreement with the West Valley City Redevelopment Agency and Argent 201, LLC, to facilitate development in the North Central Economic Development Project Area.

Mr. Pyle stated Argent 201, LLC, was purchasing a large parcel of property within the EDA Project Area and the subject agreement would facilitate development of the property by the Redevelopment Agency returning 75% of the tax increment generated from the development to Argent (over a 15 year period). He further stated the City, in order to facilitate development within the area, had agreed to delay the collection of development fees until they were repaid from tax increment; to not require Argent to be responsible for the improvement of certain intersections that were not within their project site; and to grant, subject to further City Council approval, an option for Argent to purchase the Stonebridge Golf Course driving range for inclusion in the development.

The City Manager reported the North Central Economic Development Project Area had been adopted by the City through West Valley City Ordinance No. 08-06, dated January 22, 2008. He stated it encompassed several large properties located north of Stonebridge Golf Course. He further indicated it was Argent's intention to build a business center within the Project Area that would contain approximately 27-30 buildings and approximately 1.5 million square feet of space at full build out.

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After discussion, Councilmember Winder moved to approve Resolution No. 08-84, a Resolution Authorizing the City to Enter Into an Agreement with the West Valley City Redevelopment Agency and Argent 201, LLC, to Facilitate Development in the North Central Economic Development Project Area. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

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CONSENT AGENDA:

A. RESOLUTION 08-81, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SOKHANY NHEM AND SOKHEN CHAO FOR PROPERTY LOCATED AT 3589 WEST 3965 SOUTH, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 08-81 which would accept a Grant of Temporary Construction Easement from Sokhany Nhem and Sokhen Chao for property located at 3589 West 3965 South regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Pyle stated Sokhany Nhem and Sokhen Chao had signed the Grant of Temporary Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He also reported the grantors previously signed an easement which terminated December 31, 2007, for which they had been compensated \$200.00. He stated as the project had been delayed until the 2008 construction season, a new easement had been required, which easement would automatically expire December 31, 2008.

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B. RESOLUTION NO. 08-82, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LOLAN MERLIN MORRILL AND LOIS E. MORRILL FOR PROPERTY LOCATED AT 3936 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 08-82 which would accept a Grant of Temporary Construction Easement from Lolan Merlin Morrill and Lois E. Morrill for property located at 3936 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Pyle stated Lolan Merlin Morrill and Lois E. Morrill had signed the Grant of Temporary Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He also reported the grantors previously signed an easement which terminated December 31, 2007, for which they had been compensated \$200.00. He stated as the project had been delayed until the 2008 construction season, a new easement had been required, which easement would automatically expire December 31, 2008.

C. RESOLUTION NO. 08-83, ACCEPT A STORM DRAIN EASEMENT FROM E LODGING, LLC, FOR PROPERTY LOCATED AT 3038 S. DECKER LAKE DRIVE (LOT 1 OF THE PROPOSED E-CENTER RETAIL SUBDIVISION)

City Manager, Wayne Pyle, presented proposed Resolution No. 08-83 which would accept a Storm Drain Easement from E Lodging, LLC, for property located at 3038 S. Decker Lake Drive (Lot 1 of the proposed E-Center Retail Subdivision).

Mr. Pyle stated E Lodging, LLC, owner of the proposed Holiday Inn Express & Staybridge Suites, had executed an easement for a public storm drain across the southerly portion of their site.

The City Manager reported an existing City storm drain discharged onto the proposed site and would be piped to connect to an existing storm drainage ditch to be piped by the developers of the E-Center Retail Subdivision. He also reported a Storm Drain Easement in favor of West Valley City had been required as a condition of approval for a building permit.

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MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 26, 2008

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After discussion, Councilmember Brooks moved to approve Resolution Nos. 08-81, 08-82, and 08-83 as presented on the Consent Agenda. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 26, 2008, WAS ADJOURNED AT 7:23 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held February 26, 2008.

Sheri McKendrick, MMC
City Recorder

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